

REMARKS

The final Office Action dated June 19, 2003, and the Advisory Action dated September 5, 2003 have been reviewed carefully, and the undersigned has briefly discussed this matter with the Examiner in a telephone conversation on November 12, 2003. The application has herein been amended to place the claims in condition for allowance.

In the Advisory Action, the Examiner states that "Claims 16 and 24 do not discuss transmitting a response from each individual terminal to a base station indicating whether the terminal will be a recipient of the new control program." This was stated to be within Allowable Subject Matter in the final Office Action. Claims 16 and 24 have been amended herein to include a recital of this subject matter.

Claim 16 relates to the base station and it has been amended herein to state that the base station includes:

a receiver for receiving reverse messages from wireless subscriber terminals over the air interface, including one or more status messages from recipient terminals over a point-to-point control channel including a response from each individual terminal to said base station indicating whether the terminal will be a recipient of a new control program, and messages indicating the status of the reception of the new control program, or portion thereof; and

Similarly, Claim 24 relates to a wireless subscriber terminal, and Claim 24 has been amended herein to state that each terminal includes:

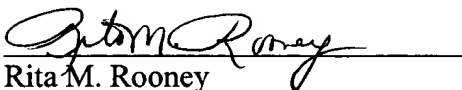
a transmitter for transmitting reverse messages from the terminal over an air interface including one or more status messages over a point-to-point control channel including transmitting a response to a base station indicating whether the terminal will be a recipient of a new control program and messages indicating the status of the reception of the new control program, or portion thereof including information relating to missing data blocks from a program transfer;

It is respectfully submitted that these amendments place independent Claims 16 and 24 (and the claims dependent therefrom) in condition for allowance.

All of the other claims that are pending, namely Claims 1, 3, 4, 6-15, 20, 22, 29, 31 and 33 have been allowed. Accordingly, a Notice of Allowance is respectfully requested.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,


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